MT LEGISLATIVE HISTORY

Chapter 242 1959

Bill (H) 310 S _____ Original bill & hist. ___C

H. Committee on Irrigation and Water Conservation S. Committee on Irrigation and Water Conservation

Hearing Date(s)	Feb 14	✓C	Hearing Date(s)	Feb 26	✓C
	_____	___C		Mar 03	✓C
	_____	___C		_____	___C
	_____	___C		_____	___C
Date Out	Feb 14	✓C		Mar 03	✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

Chap.	Senate Bill	House Bill	Title	Page
			Barber Schools and Barber Colleges, and Prohibiting Barber Schools and Barber Colleges from Charging Patrons for Barbering Services; Compensation, Funds and Reports; Fees to be Paid by Apprentices, Students, Barbers, and Barber Shops; and Repealing All Acts and Parts of Acts in Conflict Herewith	537
238		Sub. 137	An Act to Amend Section 16-912 of the Revised Codes of Montana, 1947, as Amended by Section 1 of Chapter 4 of the Laws of 1949, as Amended by Section 1 of Chapter 100 of the Laws of 1951, as Amended by Section 1 of Chapter 82 of the Laws of 1955; Relating to Compensation of Members of the Boards of County Commissioners; Providing for Compensation of Members of Said Boards According to Classification of Counties and Providing Anual Salaries According to Said Classification; Providing for Compensation of Fifteen Dollars for Each Day's Attendance on Session of Boards of Counties Not Within Said Classification and Seven Cents Per Mile for Travel Between County Seat and Place of Residence When Member is Performing His Official Duties; Repealing All Acts and Parts of Acts in Conflict Herewith	544
239		151	An Act to Amend Section 11-403, Revised Codes of Montana, 1947, Pertaining to the Extensions of Boundaries of Cities and Towns; Providing for the Annexation by Cities and Towns of the First Class of Contiguous Unplatted Land That Has Been Surveyed and for Which a Certificate of Survey Has Been Filed; Providing That This Act Shall Not, and Nothing Contained Herein Shall, Repeal or Amend or be Construed to Repeal or Amend Sections 11-506, 11-507, 11-508, 11-509, and 11-510, Revised Codes of Montana, 1947, or as Amended or Re-enacted, Which Provide An Alternative Method of Annexation of Territory to Certain Cities and Towns	545
240		167	An Act to Make Uniform the Law Relating to the Adoption of Children; Repealing Sections 61-127 to 61-137, Both Inclusive, of the Revised Codes of Montana, 1947, and Repealing Section 61-140, of the Revised Codes of Montana, 1947, and All Acts and Parts of Acts in Conflict Herewith	548
241		193	An Act to Amend Section 45 of Chapter 263 of the Session Laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, Relating to Special Speed Limits on Trucks, Truck-tractors, Motor-driven Cycles; by Fixing Special Speed Limit for Vehicles Towing House Trailers; by Increasing Speed Limit on Trucks, Truck-tractors from Forty-five (45) to Fifty (50) Miles Per Hour; by Correcting the Section Reference Made in Paragraph (b) from Section 113 to Section 112, Chapter 263, Laws of 1955, by Providing That All Acts and Parts of Acts in Conflict Herewith Are Hereby Repealed	554
242		310	An Act to Provide for the Incorporation and Organization and Management of County Water Districts; to Provide for the Acquisition of Water Rights or Construction Thereby of Waterworks; and for the Acquisition of All Property Necessary Therefor; and Also to Provide for the Distribution and Sale of Water by Said Districts; Providing for Severability and An Effective Date	555
243		335	An Act Making It A Criminal Offense for Any Person to Own, Possess, Carry, Sell or Display a Switch Blade Knife, Defining a Switch Blade Knife, Making It a Criminal Offense and Providing a Punishment Therefor; Pro-	

FEBRUARY 14, 1957

COMMITTEE ON IRRIGATION & WATER CONSERVATION

THE COMMITTEE MET AT 9:00 AM. WITH ELEVEN MEMBERS PRESENT TO DISCUSS VARIOUS BILLS.

HOUSE BILL NO. 310:

IT WAS MOVED AND SECONDED THAT HOUSE BILL NO. 310 DO PASS AS AMENDED: AMENDMENT BEING

(to be inserted at the end of Section 27 of the bill)

WHEN THE MINIMUM AMOUNT OF MONEY REQUIRED FOR ANY PURPOSE IN THIS SECTION ENUMERATED HAS BEEN DETERMINED, EACH LOT OR PARCEL OF LAND TO BE ASSESSED SHALL BE ASSESSED WITH THAT PART OF THE AMOUNT OF MONEY REQUIRED WHICH ITS AREA BEARS TO THE TOTAL AREA OF ALL OF THE LANDS TO BE ASSESSED; OR WHERE THE WATER DISTRICT IS LOCATED MORE THAN ONE (1) MILE FROM THE BOUNDARY OF AN INCORPORATED CITY OR TOWN, SAID ASSESSMENT MAY, AT THE OPTION OF THE BOARD OF COUNTY COMMISSIONERS, BE BASED UPON THE ASSESSED VALUE OF THE LOTS OR PARCELS OF LAND WITHIN SAID DISTRICT.

SUBSTITUTE FOR SENATE BILL NO. 8

Proponents Appearing:

Mr. Keith Williams, Secretary of the Montana Farm Bureau
Mr. Verne Sexton, Member of the Committee and Gallatin Farmers

IT WAS MOVED AND SECONDED THAT SUBSTITUTE FOR SENATE BILL NO 8 BE PASSED FOR THE DAY.

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE PROCEDURE OF TRANSFERRING AND/OR CHANGING THE PLACE OR POINT OD DIVERSION OF A WATER RIGHT IN AN ADJUDICATED STREAM, RIVER SPRING, LAKE OR OTHER NATURAL SOURCE OF SUPPLY OF WATER; REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE:

Sub-committee appointed to study above bill.
Holecheck, Berg and Frank

Sub-committee appointed to further study House Bill No.232 which was referred back to the committee.

Holecheck, Berg and Frank

NO FURTHER DISCUSSION THE MEETING ADJOURNED.

Gordon McOmber

SENATE COMMITTEE ON

IRRIGATION AND WATER CONSERVATION

The Senate Committee on Irrigation and Water Conservation met February 26, 1957 at 1:15 p.m. in Room 407 of the Capitol Building.

Answering to rollcall were Senators Wilson, Rice, Stein, Keister, Balgord, Spear, Larson, Jellison, and McGowan.

House Bill 310, allowing an isolated area of people to set up a water system of their own, was the object of controversy at this meeting. Sen. McOmber, one of the authors of this bill, spoke in its behalf stating that much needed additional water is in demand in several localities around the state, but cities are unable financially to provide water. This law covers mostly the machinery to operate the district water system.

Ben Hagerman, County Commissioner from Yellowstone County, said that many cities have had difficulty with this problem in the past and this is about the only way they are going to get any water into the needed areas. The bill, he said, should be okay as it was prepared by a series of attorneys. Many wells and cesspools used in these areas present many unhealthy conditions.

John Cabin, County Attorney from Yellowstone County, says the main problem is the Billings Bench area, but it arises all over the state. It has been impossible in the past to let people take care of their own area and he hopes the bill will pass.

Mr. John H. Morrison, Consulting Engineer, named several areas which will be needing authority of this bill two of which are the Billings Bench area and West Yellowstone, but there are many small areas, also.

In answer to Sen. Spear's question Mr. Morrison said they do not know, as yet, how the water is going to be supplied, but the problem is under study. Two suggestions have been made and they are either to put a series of wells along the river or else take water from Lake Elmo, but if this is done, the water will have to be restored to the lake as it is artificial itself.

Upon the finish of the discussion with the visitors, they were excused and two letters received from the Billings Bench area in favor of the proposal were read to the committee. Sen. McGowan put the bill into the hands of a subcommittee for further study to which he appointed Senators Larson, Rice and Wilson.

Sen. Rice then moved and Sen. Stein seconded a motion that the meeting be adjourned. Motion carried.

Mc G

SENATE COMMITTEE ON

IRRIGATION AND WATER CONSERVATION

The Senate Committee on Irrigation and Water Conservation met March 3, 1957 in Room 401 at 1:25 p.m. in the Capitol Building.

Answering to rollcall were Senators Wilson, Riee, Keister, Spear and McGowan.

Senate Bill 310, pertaining to water rights in said districts, was moved to be concurred in by Sen. Rice and seconded by Sen. Spear. Motion carried unanimously.

Proper motion for adjournment was then made, seconded, and carried.

CHAIRMAN

Uniformity of interpretation.

Section 16. **Uniformity of Interpretation.** This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Act cited.

Section 17. This act may be cited as the "uniform adoption act."

Repealing clause.

Section 18. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 13, 1957.

CHAPTER 241

An Act to Amend Section 45 of Chapter 263 of the Session Laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, Relating to Special Speed Limits on Trucks, Truck-Tractors, Motor-Driven Cycles; by Fixing Special Speed Limit for Vehicles Towing House Trailers; by Increasing Speed Limit on Trucks, Truck-Tractors from Forty-five (45) to Fifty (50) Miles Per Hour; by Correcting the Section Reference Made In Paragraph (b) from Section 113 to Section 112, Chapter 263, Laws of 1955, by Providing That All Acts and Parts of Acts in Conflict Herewith Are Hereby Repealed.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That section 45 of chapter 263 of the session laws of the thirty-fourth legislative assembly of the State of Montana, 1955, be, and the same is hereby amended to read as follows:

"Section 45. **Special Speed Limitations on Trucks, Truck-tractors, Motor-driven Cycles** *and Vehicles Towing House Trailers.* (a) No person shall operate any truck or truck-tractor the gross weight of which exceeds *six* thousand (*6*,000) pounds at a speed greater than *fifty (50)* miles per hour.

Truck or truck-tractor speed limits.

Motor-driven cycle.

"(b) No person shall operate any motor-driven cycle at any time mentioned in section 112, chapter 263, laws of 1955, at a speed greater than thirty-five (35) miles per hour unless such motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred (300) feet ahead."

Vehicles towing house trailer.

(c) No person shall operate a vehicle which is towing a house trailer at a speed greater than a maximum of fifty (50) miles per hour.

Repealing clause.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 13, 1957.

CHAPTER 242

An Act to Provide for the Incorporation and Organization and Management of County Water Districts; to Provide for the Acquisition of Water Rights or Construction Thereby of Waterworks; and for the Acquisition of All Property Necessary Therefor; and Also to Provide for the Distribution and Sale of Water by Said Districts; Providing for Severability and An Effective Date.

Be it enacted by the Legislative Assembly of the State of Montana:

County water districts may be organized.

Section 1. **Organization of County Water Districts.** A county water district may be organized and incorporated and managed as herein expressly provided and may exercise the powers herein expressly granted or necessarily implied.

People of any county and/or city or county of not less than 300.

Section 2. **Organization of County Water Districts.** The people of any county, or portion of a county, or city and county, whether such portion includes unincorporated territory or not, in the State of Montana, having a population of not less than three hundred (300) inhabitants, may organize a county water district under the provisions of this act by proceeding as herein provided.

Petition to board by 10% of registered voters.

Section 3. **Petition—Boundaries of District—Publication.** A petition, which may consist of any number of separate instruments, shall be presented at a regular meeting of the board of commissioners of the county in which the proposed water district is located, signed by the registered voters within the boundaries of the proposed water district, equal in number to at least ten per centum (10%) of the registered voters of the territory included in such proposed water district. Such petition shall set forth and describe the proposed boundaries of such water district, and shall pray that the same be incorporated un-

Contents.

Publication of petition, notice of hearing.

der the provisions of this act, and the text of such petition shall be published for ten (10) consecutive days in a daily newspaper or in two (2) issues of a weekly newspaper printed and published in such county, together with a notice stating the time of the meeting at which same will be presented. The first publication shall be at least two (2) weeks before the time at which the petition is to be presented. When contained upon more than one (1) instrument, one (1) copy only of such petition need be published. No more than five of the names attached to said petition need appear in such publication of said petition and notice, but the number of signers shall be stated.

Section 4. **Time of Consideration — Final Hearing.** With such publication there shall be published a notice of the time of the meeting of the board when such petition will be considered and that all persons interested therein may then appear and be heard. At such time

Hearing.

the board of commissioners shall hear the petition and those appearing thereon together with such written protests as shall have been filed with the county clerk and recorder prior to such hearing by or on behalf of owners of taxable property situated within the boundaries of the proposed district and may adjourn such hearing from time to time, not exceeding four (4) weeks in all.

Defects not fatal.

No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures, thereto shall vitiate any proceedings thereon, provided such petition or petitions have a sufficient number of qualified signatures attached thereto. On the

Changes may be made in boundaries.

final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable and shall define and establish such boundaries, but said board shall not modify said boundaries as to exclude from such proposed district any territory which would be benefited by the formation of such district; nor shall any lands which will not, in the judgment of said board, be benefited by such district be included within such proposed district. Any person whose lands are benefited by such district may upon his application, in the discretion of said board, have such lands included within said proposed district.

Section 5. **Proposition Submitted—Who May Vote—Certificate of Secretary of State—District Deemed In-**

corporated — Must Hear Testimony — Suit Commenced Within One Year—Election. Upon such hearing of said

Determination of board of county commissioners.

petition, the board of commissioners shall determine whether or not said petition complies with the requirements of the provisions of this act, and for that purpose must hear all competent and relevant testimony offered in support of or in opposition thereto. Such determination shall be entered upon the minutes of said board of commissioners. A finding of the board of commissioners in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of Montana upon suit commenced by the attorney general. Any such suit must be commenced within one (1) year after the order of the board of commissioners declaring such district organized as herein provided, and not otherwise. Upon the final determination of the boundaries of the district the board of commissioners shall give notice of an election to be held in said proposed water district for the purpose of determining whether or not the same shall be incorporated, the date of which election shall be not more than sixty (60) days from the date of the final hearing of such petition. Such notice shall describe the boundaries so established and shall state the proposed name of the proposed incorporation (which name shall contain the words "..... county water district"), and this notice shall be published for ten (10) consecutive days in a daily newspaper or in two (2) issues of a weekly newspaper printed and published in said county. The first publication shall be made at least two (2) weeks before the time at which the election is to be held. At such election the proposition to be submitted shall be: "Shall the proposition to organize ..... county water district under (naming the chapter containing this act) of the acts of the ..... session of the Montana legislature and amendments thereto be adopted?" And the election thereupon shall be conducted, the vote canvassed and the result declared in the same manner as provided by law in respect to general elections, so far as they may be applicable, except as in this act otherwise provided. No person shall be entitled to vote at any election under the provisions of this act unless such person possesses all the qualifications required of electors under the general election laws of the state, and is the owner of taxable real property situated

Finding in favor of petition final and conclusive, except as to the state.

Notice of election of incorporation.

Publication of notice.

Proposition to be submitted at election.

Electors qualified to vote.

Vote canvass.

within the boundaries of the proposed district. Within four (4) days after such election the vote shall be canvassed by the board of commissioners. If a majority of the votes cast at such election in each municipal corporation or part thereof and in the unincorporated territory included in such proposed water district shall be in favor of organizing such county water district, said board shall by an order entered on its minutes declare the territory enclosed within the proposed boundaries duly organized as a county water district under the name theretofore designated, and the county clerk shall immediately cause to be filed with the secretary of state and shall cause to be recorded in the office of the county recorder of the county in which such district is situated, each, a certificate stating that such a proposition was adopted. Upon the receipt of such last-mentioned certificate the secretary of state shall, within ten (10) days, issue his certificate reciting that the county water district (naming it) has been duly incorporated according to the laws of the State of Montana. A copy of such certificate shall be transmitted to and filed with the county clerk of the county in which such county water district is situated. From and after the date of such certificate, the district named therein shall be deemed incorporated as a county water district, with all the rights, privileges and powers set forth in this act and necessarily incident thereto. In case less than a majority of the votes cast are in favor of said proposition the organization fails but without prejudice to renewing proceedings at any time in the future.

Vote in favor board order to be entered declaring such organization.

Clerk to file certificate with secretary of state and record with county clerk.

Certificate by secretary of state.

Copy to county clerk.

Deemed incorporated.

Failure on vote.

Section 6. **Election of Directors—Term of Office.** At an election to be held within such district under the provisions of this act and the laws governing general elections not inconsistent herewith, the county water district thus organized shall proceed within ninety (90) days after its formation to the election of a board of directors consisting, if there are no municipalities within the boundaries of said district, of five (5) members. In all cases where the boundaries of such water district include any municipality or municipalities, said board of directors, in addition to said five (5) directors to be elected as aforesaid, shall consist of one (1) additional director for each one of said municipalities within such county water district, each such additional director to be

Election of board of directors.

5 members to be elected.

Additional members authorized for municipalities, when included.

appointed by the mayor of the municipality for which said additional director is allowed; and if there be any unincorporated territory within said water district, of one additional director, to be appointed by the said board of commissioners. Any director so elected or appointed shall be a qualified freeholder and a resident of said district. All directors, elected or appointed, shall hold office until the election and qualification or appointment and qualification of their successors. The term of office of directors elected under the provisions of this act shall be four (4) years from and after the date of their election; provided, that the directors first elected after the passage of this act shall hold office only until the election and qualification of their successors as hereinafter provided. The term of office of directors appointed by said mayor or mayors or by said board of commissioners shall be six (6) years from and after the date of appointment. Directors to be first appointed under the provisions of this act shall be appointed within ninety (90) days after the formation of the district. The election of directors of such county water district shall be in every fourth year after its organization, on the fourth Tuesday in March, and shall be known as the "general water district election." All other elections which may be held by authority of this act, or of the general laws, shall be known as special water district election.

Appointment.

One member for unincorporated territory.

Tenure.

Terms.

General water district election, every fourth year.

Special water district election.

Section 7. **Nomination of Officers.** (1) The mode of nomination and election of all elective officers of such water district to be voted for at any water district election and the mode of appointment of a director or directors by said mayor or mayors or by said board of commissioners shall be as follows and not otherwise.

Method of nomination and election of officers, appointment of directors.

(2) The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

Name on ballot.

(3) The petition of nomination shall consist of not less than twenty-five (25) individual certificates, which shall read substantially as follows:

Petition of nomination, 25 individual certificates, form.

PETITION OF NOMINATION
Individual Certificate.

State of Montana)
)ss.
County of .....)

Prec. No. .....

I, the undersigned, certify that I do hereby join in a petition for the nomination of ....., whose residence is at ..... for the office of ..... of the ..... county water district to be voted for at the water district election to be held in the ..... county water district on the ..... day of ....., 19.....; and I further certify that I am a qualified elector and freeholder residing within said district, and am not at this time a signer of any other petition nominating any other candidate for the above named office; or, in case there are several places to be filled in the above named office, that I have not signed more petitions than there are places to be filled in the above named office; that my residence is at No. ..... street, ...; and that my occupation is .....

(Signed) .....

State of .....)
)ss.
County of .....)

....., being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) .....

Subscribed and sworn to before me this ..... day of ....., 19.....

.....
Notary Public

The petition of nomination of which this certificate forms a part shall, if found insufficient, be returned to ....., at ....., Montana.

Clerk to furnish forms.

(4) **Clerk to Furnish Forms.** It shall be the duty of the county clerk to furnish upon application a reasonable number of forms of individual certificates of the above character.

Certificates.

(5) **Certificates.** Each certificate must be a separate paper. All certificates must be of uniform size as determined by the county clerk. Each certificate must contain the name of one signer thereto and no more. Each certificate shall contain the name of one candidate and no more. Each signer must be a qualified elector residing within said district, must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, nor, in case there are several places to be filled in the same office, signed to more certificates for candidates for that office than there are places to be filled in such office. In case an elector has signed two or more conflicting certificates, all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true, before a notary public. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient.

Time for nominating petition.

(6) **Presentation of Petition.** A petition of nomination, consisting of not less than twenty-five (25) individual certificates for any one candidate, may be presented to the county clerk not earlier than forty-five (45) days nor later than thirty (30) days before the election. The county clerk shall indorse thereon the date upon which the petition was presented to him.

Clerk to examine petition.

(7) **Examination of Petition.** When a petition of nomination is presented for filing to the county clerk, he shall forthwith examine the same, and ascertain whether or not it conforms to the provisions of this section. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition to the person named as the person to whom the same may be returned in accordance with this section. The petition may then be amended and again presented to the clerk as in the first instance. The clerk shall forthwith proceed to examine the petition as hereinbefore provided. If necessary, the board of commissioners shall provide extra help to enable the clerk to perform satisfactorily and promptly the duties imposed by the section.

Amendment allowed.

Verified revocation required for withdrawal of name from petition.

(8) **Signer May Withdaw Name.** Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the county clerk a

verified revocation of his signature before the filing of his petition by the clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

Procedure for withdrawal by candidate.

(9) **Candidate May Withdraw.** Any person whose name has been presented under this section as a candidate may, not later than twenty-five (25) days before the day of election, cause his name to be withdrawn from nomination by filing with the county clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If, upon such withdrawal, the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty-five (25) days prior to such election.

Petition to be filed by clerk.

(10) **Petition Filed.** If either the original or amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five (25) days before the date of the election. When a petition of nomination shall have been filed by the clerk it shall not be withdrawn or added to and no signature shall be revoked thereafter.

Preservation of petitions, two years.

(11) **Petitions Preserved.** The county clerk shall preserve in his office for a period of two years, all petitions of nomination and all certificates belonging thereto, filed under this section.

List of candidates nominated published in election proclamation.

(12) **List of Candidates.** Immediately after such petitions are filed, the county clerk shall enter the names of the candidates in a list, with the offices to be filled, and shall not later than twenty (20) days before the election certify such list as being the list of candidates nominated as required by the provisions of this act, and the board of commissioners shall cause said certified list of names and the offices to be filled, to be published in the proclamation calling the election at least ten (10) successive days before the election in at least one (1) but not more than three (3) newspapers of general circulation published in the county in which such municipal water district is located. Such proclamation shall conform in all respects to the general state law governing the conduct of general elections now or hereafter in force, applicable thereto, except as otherwise herein provided.

Form of ballotts.

(13) **Ballots. Form.** The county clerk shall cause the ballots to be printed and bound and numbered as provided by said general state law, except as otherwise required in this act. The ballots shall contain the list of names and the respective offices as published in the proclamation and shall be in substantially the following form:

GENERAL (OR SPECIAL) DISTRICT ELECTION.

..... County Water District,
(Inserting date thereof.)

Instructions to Voters: To vote, stamp or write a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, return it to the inspector of election, and obtain another.

Printing of ballots, contents and requirements.

(14) **How Printed.** All ballots printed shall be precisely on the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right-hand side for questions to be voted upon at municipal water district election, as provided for under this act. The names of the candidates for each office shall be arranged in alphabetical order, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

(15) **No Candidate Omitted.** The name of no candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided shall be omitted from the ballot.

(16) **Office.** The offices to be filled shall be arranged in the following order: "For director vote for (giving number)."

(17) **Voting Squares.** Half-inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

(18) **Spaces Below Printed Names.** Half-inch spaces shall be left below the printed names of candidates for each office, equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

Votes necessary to elect.

(19) **Votes Necessary to Elect.** In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office, shall be declared elected; in case there are two or more persons to be elected to an office, as that of director, then those candidates equal in number to the number to be elected, who receive the highest number of votes for such office shall be declared elected.

Failure to qualify.

(20) **Failure to Qualify.** If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

Appointment by mayor or board of county commissioners.

(21) **Mode of Appointment by Mayor.** The mode of appointment of director or directors by a mayor, or by a board of commissioners, shall be by certificate of appointment signed by said mayor or mayors, or issued by said board of commissioners, and transmitted to the board of directors of said county water district.

Informalities in election not to invalidate.

(22) **Informality Not to Invalidate.** No informality in conducting county water district elections shall invalidate the same, if they have been conducted by directors to fill a vacancy, or appointed by a mayor or by this act.

General election laws to govern.

Section 8. **General Law to Govern.** The provisions of the law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of general elections, so far as they may be applicable, shall govern all water district elections, except as in this act otherwise provided; provided,

Proviso—canvass.

that the board of commissioners shall canvass the returns of the first election and that thereafter, except as herein provided, the board of directors shall meet as a canvassing board and duly canvass the returns within four (4) days after any water district election, including any water district bond election.

Officers subject to recall.

Section 9. **Officers Subject to Recall.** Every incumbent of an elective office, whether elected by popular

vote for a full term, or elected by the board of directors to fill a vacancy, or appointed by a mayor or by said board of commissioners for a full term, is subject to recall by the voters of any county water district organized under the provisions of this act, in accordance with the recall provisions of sections 11-3220 to 11-3227, Revised Codes of Montana, both inclusive, applicable to officers under the commissioner-manager plan.

Board of directors, organization, meetings, quorum rules.

Section 10. **Organization of Board.** The board of directors shall be the governing body of such county water district. It shall hold its first meeting on the sixth Monday after the first general election for the election of directors as herein provided; it shall choose one of its members president, and shall thereupon provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All legislative sessions of the board of directors whether regular or special shall be open to the public. A majority of the board of directors shall constitute a quorum for the transaction of business. The board of directors shall establish rules for its proceedings.

Action by ordinance or resolution.

Section 11. **Ordinances. Enacting Clause. Compensation.** The board of directors shall act only by ordinance or resolution. The ayes and noes shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the board of directors. No ordinance or resolution shall be passed or become effective without the affirmative votes of at least a majority of the total members of the board. The

Enacting clause.

enacting clause of all ordinances passed by the board shall be in these words: "Be it ordained by the board of directors of ..... county water district as follows:" All resolutions and ordinances shall be signed by the president of the board of directors and attested by the secretary. Each of the members of the

Compensation.

board of directors shall receive for each attendance at the meetings of the board ten dollars ($10.00), and shall receive no other compensation. No director, however, shall receive pay for more than three (3) meetings in

Limitation.

any calendar month. Any vacancy in the board of directors, whether the vacant office is elective or appointive, shall be filled by the remaining directors.

Vacancies.

General manager, secretary and auditor.

Section 12. **General Manager, Secretary and Auditor.** The board of directors shall at its first meeting, or as soon thereafter as practicable, appoint, by a majority vote, a general manager, a secretary, and an auditor. No director shall be eligible to the office of general manager, secretary, or auditor. The general manager, secretary, and auditor, shall receive such compensation as the board of directors shall determine, and each shall serve at the pleasure of the board.

Informality not to invalidate.

Section 13. **Informality Not to Invalidate.** No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the incorporation of any county water district, and any proceeding wherein the validity of such incorporation is denied shall be commenced within three (3) months from the date of the certificate of incorporation, otherwise said incorporation and the legal existence of said county water district, and all proceedings in respect thereto, shall be held to be valid and in every respect legal and incontestable.

Powers of district.

Section 14. **Powers of District.** Any county water district incorporated as herein provided shall have power:

(1) To have perpetual succession;

(2) **Sue and Be Sued.** To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction;

(3) **Adopt Seal.** To adopt a seal and alter it at pleasure.

(4) **Hold Property.** To take by grant, purchase, gift, devise, or lease; to hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the district, necessary to the full exercise of its powers;

(5) **Acquire Waterworks.** To construct, purchase, lease, or otherwise acquire, and to operate and maintain water rights, water works, canals, conduits, reservoirs, lands and rights useful or necessary to store, conserve, supply, produce, or convey water for household, domestic or other similar purposes for the benefit of the district;

Storing and conservation of water for future use.

(6) **Store Water.** To store water for the benefit of the district; to conserve water for future use; to appropriate, acquire and conserve water and water rights for the purposes of the district; to commence, maintain, intervene in and compromise, in the name of the district, and to assume the costs of any action or proceeding involving or affecting the ownership or use of waters or water rights within the district used or useful for any purpose of the district or a benefit to any land situated therein; to commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or natural subterranean supply of waters used or useful for any purpose of the district or a common benefit to the lands within the district or its inhabitants; and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger the inhabitants or lands of the district;

Leasing of water works with privilege of purchase.

(7) **Lease Waterworks.** To lease of and from any person, firm, or public or private corporation with the privilege of purchase, or otherwise, existing water rights, water works, canals or reservoir systems; and to carry on and maintain the same; also to sell water, or the use thereof, for household or domestic use or other similar purposes; and whenever there is a surplus of water to sell or otherwise dispose of the same, to municipalities or towns or to consumers located within or without the boundaries of the district;

Cooperate with federal government and contract for construction purposes.

(8) **Cooperate With the United States.** To cooperate and contract with the United States under the federal reclamation act of June 17, 1902 and all acts amendatory thereof and supplementary thereto or any other act of congress authorizing or permitting such cooperation or contract for purposes of construction of works necessary or appropriate for the purposes of the district or for the acquisition, purchase. extension, operation, or maintenance of such works, or for a water supply or for the assumption as principal or guarantor of indebtedness to the United States and to carry out and perform the terms of any contract so made;

(9) **Borrow Money.** To borrow money and incur indebtedness and to issue bonds or other evidence of such

indebtedness; also to refund or retire any indebtedness or lien that may exist against the district or property thereof;

(10) **Levy Taxes.** To cause taxes to be levied in the manner provided for herein for the purpose of paying any obligation of the district and to accomplish the purposes of this act in the manner herein provided;

(11) **Make Contracts.** To make contracts, to employ labor and to do all acts necessary for the full exercise of the foregoing powers.

Powers to be exercised by board.

Section 15. **Powers Exercised by Board.** The powers herein enumerated shall, except as herein otherwise provided, be exercised by the board of directors above provided for and elected and appointed as described herein.

Duties of officers of the board, president.

Secretary.

General manager.

Auditor.

Depositary of funds.

Section 16. **Duties of Officers of Board. Depositary of Funds. Officers' Bonds.** The president shall sign all contracts on behalf of the district and perform such other duties as may be imposed by the board of directors. The secretary shall countersign all contracts on behalf of the district and perform such other duties as may be imposed by the board of directors. The general manager shall have full charge and control of the maintenance, operation and construction of the waterworks or waterworks system of said water district, with full power and authority to employ and discharge all employees and assistants at pleasure, prescribe their duties, and shall, subject to the approval of the board of directors, fix their compensation. The general manager shall perform such other duties as may be imposed upon him by the board of directors. The general manager shall report to the board of directors in accordance with such rules and regulations as they may adopt. The auditor shall be charged with the duty of installing and maintaining a system of auditing and accounting that shall completely and at all times show the financial condition of the district. He shall draw warrants to pay demands made against the district when such demands have been first approved by at least three (3) members of the board of directors and by the general manager. The board of directors shall also designate a depositary or depositaries to have the custody of the funds of the district, all of which depositaries shall give security sufficient to secure the district against possible loss, and who shall pay the warrants drawn by the auditor for demands against the district under such rules as the directors may prescribe. The general manager, secretary and auditor, and all other employees or assistants of said district who may be required so to do by the board of directors, shall give bonds to the district conditioned for the faithful performance of their duties as the board of directors from time to time may provide.

Officers' bonds.

Bonded indebtedness.

Section 17. **Bonded Indebtedness.** Whenever the board of directors deem it necessary for the district to incur a bonded indebtedness, it shall by a resolution so declare and state the purpose for which the proposed debt is to be incurred, the land within the district to be benefited thereby, the amount of debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed forty (40) years, and the maximum rate of interest to be paid, which shall not exceed seven per cent (7%) per annum, and the proposition to be submitted to the electors.

Election.

Section 18. **Election.** The board of directors shall fix a date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred. It shall be the duty of the board of directors to provide for holding such special election on the day so fixed, in accordance with the general election laws of the state, so far as the same shall be applicable, except as herein otherwise provided.

Notice.

Section 19. **Notice.** Such board of directors shall give notice of the holding of such election, which notice shall contain the resolution adopted by the board of directors of the water district, boundaries of voting precincts, which shall include therein only the lands to be benefited, as stated in such resolution, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct.

Publication of notice.

Section 20. **Publication.** Such notice shall be published for ten (10) consecutive days in a daily newspaper or in two (2) issues of a weekly newspaper published in such water district, which newspaper shall be designated by the board of directors; and if there is no newspaper printed in such water district, then in some newspaper of general circulation published in the county in which the district is situated. Every qualified elector

residing within such voting precincts, but no others, shall be entitled to vote at such election. All the expenses of holding such election shall be borne by the district.

Canvass of returns.

Section 21. **Canvass of Returns.** The returns of such election shall be made to and the votes canvassed by said board of directors on the first Monday following said election, and the results thereof ascertained and declared in accordance with the general election laws of the state, so far as they may be applicable, except as herein otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted. In all respects not otherwise provided for herein, said election shall be called, managed and directed as is by law provided for general elections in this state applicable thereto, except as herein otherwise provided.

Two-thirds vote necessary.

Section 22. **Two-thirds Vote Necessary.** If from such returns it appears that more than two-thirds of the votes cast at such election were in favor of and assented to the incurring of such indebtedness, then the board of directors may, by resolution, at such time or times as it deems proper, provide for the form and execution of such bonds and for the issuance of any part thereof, and may sell or dispose of the bonds so issued at such times or in such manner as it may deem to be to the public interest.

Value of bonds issued.

Section 23. **Value of Bonds Issued.** Any bonds issued by any district organized under the provisions of this act are hereby given the same force, value and use as bonds issued by any municipality and shall be exempt from all taxation within the State of Montana.

Power to construct works.

Section 24. **Power to Construct Works Across Streets, etc. Right of Way Through State Lands.** The board of directors shall have power to construct works across any stream of water, watercourse, street, avenue, highway, railway, canal, ditch or flume which the route of said works may intersect or cross; provided, such works are constructed in such manner as to afford security for life and property, and said board of directors shall restore the crossings and intersections to their former state as near

as may be, or in manner not to have impaired unnecessarily their usefulness. The right of way is hereby given, dedicated and set apart to locate, construct and maintain said works over and through any of the lands which are now or may be the property of this state, and to have the same rights and privileges appertaining thereto as have been or may be granted to the municipalities within the state.

Right of way through state lands.

Water rates.

Section 25. **Water Rates.** The board of directors shall fix all water rates, and shall through the general manager collect the charges for the sale and distribution of water to all users.

Water rate to pay for operating expenses.

Section 25. **Water Rates.** The board of directors, board of directors in the furnishing of water shall fix such rate as will pay the operating expenses of the district, provide for repairs and depreciation of works owned or operated by it, pay the interest on any bonded debt, and, so far as possible, provide a sinking or other fund for the payment of the principal of such debt as it may become due; it being the intention of this section to require the district to pay the interest and principal of its bonded debt from the revenues of the district.

Commissioners may levy water taxes.

Section 27. **Commissioners to Levy Water Taxes.** If, from any cause, the revenues of the district shall be inadequate to pay the interest or principal of any bonded debt as it becomes due or any other expenses or claims against the district, then the board of directors must, at least fifteen (15) days before the first day of the month in which the board of commissioners of the county, or city and county, in which such water district is located, is required by law to levy the amount of taxes required for county or city and county purposes, furnish to the board of commissioners and to the auditor, respectively, an estimate in writing of the minimum amount of money required by the district for the payment of the principal or interest on any bonded debt as it becomes due, together with a description of the lands benefited thereby, as stated by the board of directors in the resolution declaring the necessity to incur such bonded indebtedness, and also of the minimum amount of money required by the district for any other purpose in this section set forth, and the board of commissioners of such county or city and county must annually, at the time and in the manner of levying other county or city and county taxes and

Estimate in writing of minimum amount required.

Resolution.

until any such bonded debt is fully paid, levy upon the lands so benefited and cause to be collected, a tax sufficient for the payment thereof to be known as the "_____County water district bond tax"; and until all other expenses or claims are fully paid, levy upon all of the lands of the district and cause to be collected a tax sufficient for the payment thereof to be known as the "_____county water district water tax."

County water district bond tax.

Assessment.

When the minimum amount of money required for any purpose in this section enumerated has been determined, each lot or parcel of land to be assessed shall be assessed with that part of the amount of money required which its area bears to the total area of all the lands to be assessed; or where the water district is located more than one (1) mile from the boundary of an incorporated city or town, said assessment may, at the option of the board of county commissioners, be based upon the assessed value of the lots or parcels of land within said district.

Levy and collection of tax.

Section 28. **Levy and Collection of Tax.** Such taxes for the payment of any such bonded debt shall be levied on the property benefited thereby, as stated by the board of directors in the resolution declaring the necessity therefor, and all taxes for other purposes shall be levied on all property in the territory comprising the district. All such taxes shall be collected at the same time and in the same manner and form as county taxes are collected, and when collected shall be paid to the district for which such taxes were levied and collected. Such taxes, if for the payment of a bonded debt, shall be a lien on all the property benefited thereby, as so stated in the resolution of the board of directors aforesaid, and all taxes for other purposes shall be a lien on all the property in the territory comprising the district; and said taxes, whether for the payment of a bonded indebtedness or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection shall be enforced by the same means as provided for in the enforcement of liens for state and county taxes.

Taxes to a lien.

Enforcement.

Initiative.

Section 29. **Initiative.** Ordinances may be passed by the electors of any county water district organized under the provisions of this act in accordance with the methods provided by the general laws of the state for direct legislation applicable to cities and towns.

Referendum.

Section 30. **Referendum.** Ordinances may be disapproved and thereby vetoed by the electors of any such county water district by proceeding in accordance with the methods provided by the general laws of the state for protesting against legislation by cities and towns.

Adding to district.

Petition.

Ordinance.

Vote of electors.

Certification by secretary.

Certificate of secretary of state.

Section 31. **Adding to District.** Any portion of a county or any municipality, or both, may be added to any county water district organized under the provisions of this act, at any time, upon petition presented in the manner therein provided for the organization of such water district, which petition may be granted by ordinance of the board of directors of such water district. Such ordinance shall be submitted for adoption or rejection to the vote of the electors in such water district and in the proposed addition, at a general or special election held as herein provided, within seventy (70) days after the adoption of such ordinance. If such ordinance is approved, the president and secretary of the board of directors shall certify that fact to the secretary of state and to the county recorder of the county in which such water district is located. Upon the receipt of such last mentioned certificate the secretary of state shall, within ten (10) days, issue his certificate, reciting the passage of said ordinance and the addition of said territory to said district. A copy of such certificate shall be transmitted to and filed with the county clerk of the county in which such county water district is situated. From and after the date of such certificate the territory named therein shall be deemed added to and form a part of said county water district, with all the rights, privileges and powers set forth in this act and necessarily incident thereto.

Definitions, act construed.

"Municipality."

"County."

Section 32. **Definitions.** Nothing in this act shall be so construed as repealing or in any wise modifying the provisions of any other act relating to water or the supply of water to, or the acquisition thereof by counties or municipalities within this state. The term "municipality", as used in this act, shall include a consolidated city and county, city or town, and shall be understood and so construed as to include, and is hereby declared to include, all corporations heretofore organized and now existing and those hereafter organized for municipal purposes within such water districts. The term "county" shall be understood and construed to include "city and county." In municipalities in which there is no mayor

the duty imposed upon said officer by the provisions of this act shall be performed by the president of the board of trustees or other chief executive of the municipality.

"District." The word "district" shall apply, unless otherwise expressed or used, to a water district formed under the provisions of this act, and the word "board" and the words "boards of directors" shall apply to the board of directors of such district.

"Board."

Exclusion of territory, procedure.

Section 33. **Exclusion of Territory. Petition. Contents. Duties of Secretary. Hearing. Order Excluding Lands.** Any territory, included within any county water district formed under the provisions of this act, and not benefited in any manner by such district, or its continued inclusion therein, may be excluded therefrom by order of the board of directors of such district upon the verified petition of the owner or owners in fee of lands whose assessed value, with improvements, is in excess of one-half of the assessed value of all the lands, with improvements, held in private ownership in such territory. Said petition shall describe the territory sought to be excluded and shall set forth that such territory is not benefited in any manner by said county water district or its continued inclusion therein, and shall pray that such territory may be excluded and taken from said district. Such petition shall be filed with the secretary of the water district and shall be accompanied by a deposit with such secretary of the sum of one hundred dollars ($100.00), to meet the expenses of advertising and other costs incident to the proceedings for the exclusion of such territory, including the cost of recording a certified copy of the order hereinafter provided for, any unconsumed balance to be returned to the petitioner. Upon the filing of such petition with the secretary of the water district he shall call a meeting of the board of directors of the district at a time not less than twenty-five (25) days nor more than fifty (50) days after the filing of the petition and cause a notice of the filing of such petition to be published for ten (10) consecutive days in a daily newspaper or in two (2) issues of a weekly newspaper within said district, if there be one, and if not, in some newspaper of general circulation published in the county in which the district is situated. Such notice shall also state the date of the filing of such petition and that the same will come on for hearing before the board of directors of the district and shall state the

Petition to be filed with secretary of district.

Deposit required.

Meeting of board.

Publication of notice.

time of the hearing and the place thereof, which shall be the regular meeting place of the board of directors of the district; provided, that the board may adjourn the hearing to a more convenient meeting place within the district. Any landowner or taxpayer within the district shall have the right to appear at said hearing, either in behalf of or in opposition to the granting of said petition. Said petition shall come on for hearing before the board of directors of the district at the time and place specified in the notice of hearing. If upon such hearing the board of directors determines that it is for the best interests of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district, or if it appears that such lands, or some portion thereof, will not be benefited by their continued inclusion in the district, then the board of directors shall make an order that such lands, or such portion thereof, be excluded from the district, such order to describe specifically the lands so excluded. From the time of the making of such order the lands so excluded shall be deemed to be no longer included in the district, but such order of exclusion shall not be taken to invalidate in any manner any taxes or assessments theretofore levied or assessed against the lands so excluded. A copy of such order of exclusion, certified to by the secretary of the district, shall be recorded in the office of the county recorder of the county in which the district is situated and the record of such certified copy shall be deemed prima facie evidence of the exclusion from the district of the lands purporting to be excluded thereby.

Time of hearing.

Hearing.

Decision of the board.

Directors may institute proceedings for exclusion.

Section 34. **Directors May Institute Proceedings for Exclusion, Hearing, Referendum.** The board of directors of any county water district formed under the provisions of this act may itself initiate the proceedings for the exclusion from the district of any land or lands which it may not be for the best interests of the district to be included, or which may not be benefited in any manner by their continued inclusion therein. Such proceedings shall be initiated by the board of directors by the passage of a resolution requiring all persons interested to appear and show cause before the board of directors, at a time and place specified, why such lands, describing them, should not be excluded from the district and fixing a time and place for such hearing and directing the secretary of the

Resolution.

district to give notice of the passage of such resolution and of such hearing. Upon the passage of such resolution the secretary of the district shall give notice thereof and of the time and place of such hearing in the manner hereinbefore prescribed for notice of hearing upon petition by a landowner or landowners, and thereafter all proceedings shall be had in the manner and with the effect herein provided for proceedings upon a petition by a landowner or landowners. The time of hearing fixed by the board of directors by its resolution hereinbefore mentioned shall be not less than twenty-five (25) days nor more than fifty (50) days after the passage of such resolution and the place of hearing so fixed shall be a convienent place within the district; provided that the final action of the board of directors under this section shall be subject to the referendum by the electors of the water district according to section 30 of this act.

Notice.

Hearing.

Proviso—action of board subject to referendum per sec. 30.

Section 35. Every section of this act and every part of each section is hereby declared to be independent of each other, and the holding of any section or part hereof to be void or ineffective for any cause shall not be deemed to affect any other section or part hereof.

Severability clause.

Section 36. This act shall be in full force and effect from and after its passage and approval.

Effective immediately.

Approved March 13, 1957.

CHAPTER 243

An Act Making It a Criminal Offense for Any Person to Own, Possess, Carry, Sell or Display a Switch Blade Knife, Defining a Switch Blade Knife, Making It a Criminal Offense and Providing a Punishment Therefor; Providing for the Effective Date of Said Act and Repealing All Acts and Parts of Acts In Conflict Therewith.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Every person who carries or bears upon his person or who carries or bears within or on any motor vehicle or other means of conveyance owned or operated by him or who owns, possesses, uses, stores, gives away, sells or offers for sale, a switch blade knife shall be

Unlawful to own, possess, use, store, sell or offer a switch blade knife.

punished by a fine not exceeding five hundred dollars ($500.00) or by imprisonment in the county jail for a period not exceeding six (6) months or by both such fine and imprisonment; provided; that a bona fide collector, whose collection is registered with the sheriff of the county in which said collection is located, is hereby exempted from the provisions of this act. For the purpose of this section a switch blade knife is defined as any knife which has a blade one and one-half (1½) inches long or longer, which opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife.

Penalty.

Proviso—collectors excluded.

"Switch blade knife" defined.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Repealing clause.

Section 3. This act shall be in full force and effect from and after its passage and approval.

Effective immediately.

Approved March 13, 1957.

CHAPTER 244

An Act Amending Section 41-1121, Revised Codes of Montana, 1947, Relating to the Hours of Labor for State, County, and Municipal Government Employees With Respect to Works and Undertakings Carried on Thereby, and Containing a Repealing Clause.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 41-1121, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Amending clause.

"41-1121. (3079) **Hours of Labor for State and Municipal Governments, Mines, Mills, Smelters.** A period of eight hours shall constitute a day's work in all works and undertakings carried on or aided by any municipal, county, or state government, first class school districts, and on all contracts let by them, and for all janitors, except in court houses of sixth and seventh class counties, engineers, firemen, caretakers, custodians and laborers employed in or about any buildings, works or grounds used or occupied for any purpose by any municipal, county, or state governments, school districts of first

Hours of labor for state and municipal governments, mines, mills and smelters.